

EXTENSIONS OF REMARKS

INTRODUCTION OF LEGISLATION

HON. ED BRYANT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1999

Mr. BRYANT. Mr. Speaker, I rise today to extend my remarks with an introduction of an important piece of legislation.

Today, we are introducing legislation that links two important issues—the need for pioneering research and development, and the need for patents with integrity to encourage that research. This relationship of R&D and patent integrity is one of mutual dependence * * * a relationship in which each fosters the other for the benefit of us all.

We all know that pharmaceutical research is one of the best patient protection policies we can buy as Americans. Just ask any physician—or any patient who has benefited from the healing powers of a new pharmaceutical.

In fact, pharmaceutical research and development is one of America's success stories.

But R&D is not a matter of simply walking into a laboratory one day, discovering a product, and putting it on the pharmacist's bench the next week. Drug research is a marathon, not a sprint. It is expensive. And it is time-consuming. It costs more than \$500 million to discover and develop one new medicine. Research-oriented pharmaceutical companies spend an average of 15 years between the time they discover a drug and the time they are allowed to bring it to market.

That explains our legislation and the necessity for patent integrity. Patent integrity is the cornerstone, the wellspring, of research and development. The protection of intellectual property is even spelled out in the Constitution, which states: "Congress shall have the power * * * to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

The message of the Founding Fathers was simple, straightforward and unmistakably clear—and for those reasons, it has stood the test of time. It was—and is—a directive that innovators should be able to benefit from their labors through the protection of intellectual property, which in turn will create the incentive to create pioneering products that benefit us all.

Pharmaceuticals assume a special importance in our nation's research and development efforts. I know this for a fact because my district is home to a major facility of Schering-Plough. This plant contributes in a major way to the economy of the region and employs 800 highly skilled people. But the issues here are much larger and more significant than one plant or one company.

The issues, instead, involve fairness and predictability in America's intellectual property laws—in other words, patent integrity.

In 1984, Congress passed the Hatch-Waxman Act, which was designed to accomplish two goals. One was to enable generic drugs to get to market faster. The other goal was to restore some of the patent life that branded drugs were losing to lengthy regulatory reviews.

As time passed, however, it has become clear that the goals of Hatch-Waxman were significantly undermined by unintended consequences.

When it passed the legislation in 1984, Congress rightly assumed and anticipated that there would be relatively quick FDA approval for drugs that were in the approval "pipeline" at the time. In fact, that did not occur. For some drugs, the regulatory review took significantly longer than anticipated. This regulatory delay unintentionally deprived them of critical portions of their patent life.

Regulatory delay is an unfortunate occurrence in Washington. In many cases, it has direct consequences. This legislation is intended to address one of those consequences.

This legislation addresses this issue in the right way. It seeks to establish an independent and public review process within the Patent Office. This process would consider claims for patent restoration to offset regulatory delay.

Ultimately, this legislation enables Congress to assure patent integrity. And, by assuring patent integrity, Congress will be assuring a continuation of the types of research and development that helps patients every day.

ESTABLISH NATIONAL WHEAT CLEANING PROGRAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1999

Mr. SCHAFFER. Mr. Speaker, Colorado's Fourth Congressional District encompasses the eastern half of our state and is home to some of the most productive agricultural land in the nation. The soil, water, and climate conditions across the Eastern Plains, and throughout much of our state, provide a very favorable environment for Colorado's 14,000 wheat growers.

These growers have produced an average of 84.8 million bushels annually over the past 10 years, producing \$293.5 million in revenue each year. Furthermore, wheat is ranked as one of Colorado's top export commodities by dollar volume. Greater than 80 percent of our state's wheat crop is exported to over 60 different countries, including Egypt, Korea, China, and Latin America. These exports alone account for over \$234.8 million in annual revenue and contribute greatly to the 18,851 jobs produced by the Colorado wheat industry.

Yet, despite the favorable growing conditions and high levels of productivity, Colo-

rado's wheat growers and many other producers across the nation have watched their profits, and in many cases their very livelihoods, decline sharply over the past couple of years. The agriculture industry has become increasingly dependent upon the foreign marketplace to expand sales and increase revenues, yet many factors have placed our producers at a competitive disadvantage to other exporting nations.

Wheat export trade, in particular, has changed rapidly and significantly over the past decade. Government buying agencies have all but disappeared and have been replaced by private buyers, flour millers, and other end-users, which are typically more discriminating, quality-conscious buyers. One factor under increasing scrutiny is the level of dockage, or unmillable material such as weeds and wheat stalk, contained in U.S. exports.

The growth of U.S. wheat exports has been limited in recent years because cleaned wheat, or wheat that has undergone a process to filter and separate dockage, is not widely available among the U.S. export system, while other countries have been shipping grain with very low dockage content.

In response to pressure from the Congress and America's wheat growers last year, the president's budget request for the U.S. Department of Agriculture (USDA) this year includes a provision to allow matching funds to export elevators to install high-speed cleaning equipment. Such a long-term investment would greatly benefit the American wheat industry in particular, and the U.S. trade balance overall, by ensuring our exports are of sufficient quality to actively compete with other wheat exporting nations.

Mr. Speaker, I strongly encourage the Congress to authorize, and the president to implement, an effective national wheat cleaning program to help boost the competitiveness of U.S. wheat in the international marketplace.

W.A. "BILL" TAYLOR IS A TRUE LEADER

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1999

Mr. PICKERING. Mr. Speaker, I would like to pay tribute to Mr. W.A. "Bill" Taylor, a friend of mine in Louisville, Mississippi. He is truly a man for all seasons. Mr. Taylor is a business leader, a philanthropist, and the CEO and Chairman of the Board of The Taylor Group, Inc.

Mr. Taylor's company was formed by his father, Mr. W.A. "Spec" Taylor is 1927 as a small, family-owned automotive and machine repair business. Today, it employs more than 1,000 people and is comprised of seven subsidiary companies that manufacture all types

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.